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January 18, 2009

BY ECF

HON. MARIA ELENA JAMES
Magistrate Judge of U.S. District Court



Re: D'Lil v. Flood Garage, et al.
Case No. 3:08-CV-4587-MEJ
**Request for Order Setting Deadline for Filing of Consent or
Declination**

Dear Magistrate James:

Plaintiff has now filed her Consent. Unfortunately, the Court's initial order does not require the parties to file their Consents/Declinations until the time of Case Management. As the Court is aware, declinations filed just before case management require rescheduling and upset the orderly progression of the case. They also divest the District Court of the ability to act on early motions, often to the plaintiff's prejudice. Of potential example in the instant case, plaintiff is presently circulating a stipulation to modify the Court's scheduling dates. She would also like to be in a position to request early discovery or dispositive relief.

Therefore, plaintiff requests that the Court set a deadline for filing Consents and Declinations no later than January 29, 2009.

Very truly yours,

TIMOTHY S. THIMESCH

cc: All Counsel (By Concurrent Email)

Hardcopy to Court by U.S. Mail